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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECH CENTER 1600/2900

In re the application of: H. Bujard, et al.

Serial No.: 09/281,674

Filed: March 30, 1999

For: METHODS FOR REGULATING GENE
EXPRESSION

Attorney Docket No.: BBI-013C3CN2CPA

Group Art Unit: 1632

Examiner: Ram Shukla

Commissioner for Patents
Box AF
Washington, D.C. 20231

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated May 21, 2002 of the Primary Examiner finally rejecting claims 1-6, 9-14 and 17-19.

The Commissioner is hereby authorized to charge the Appeal Fee of \$320.00, based on large entity status to Deposit Account No. 12-0080. Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. *A duplicate of this letter is enclosed.*

<p>Certificate of First Class Mailing (37 CFR 1.8(a))</p> <p>I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box AF, Washington, DC 20231 on:</p> <p>October 21, 2002 Date</p> <p><i>Giulio A. DeConti, Jr.</i> Giulio A. DeConti, Jr, Esq., Reg. No. 31,503</p>

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Giulio A. DeConti, Jr.
Giulio A. DeConti, Jr, Esq.
Reg. No. 31,503

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